

AUG 15 2006

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& PRESSER, P.C.**

# Fax

<b>To:</b>	<b>Examiner Andre D. Boyce</b> <b>GROUP ART UNIT: 3623</b>	<b>From:</b>	Steve Fischman
<b>Fax:</b>	(571) 273-8300	<b>Pages:</b>	15 (including fax cover sheet)
<b>Phone:</b>		<b>Date:</b>	August 15, 2006
<b>Re:</b>	Kevin J Reardon U.S. Serial No. 09/933,602 Docket: (14775)	<b>CC:</b>	

## **AMENDMENT AND RESPONSE UNDER 37 C.F.R. §1.116**

### COMMENTS:

Transmitted herewith are the following:

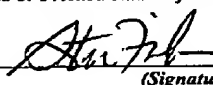
1. Amendment Transmittal letter (in duplicate)
2. Amendment and Response Under 37 C.F.R. §1.116 (11 pages)
3. Certificate of Transmission by Facsimile, dated August 15, 2006 (in duplicate)

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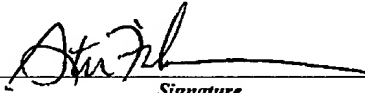
AUG 15 2006

<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): Kevin J. Reardon			<b>Docket No.</b> FIS920010165US1 (14775)
<b>Application No.</b> 09/933,602	<b>Filing Date</b> August 21, 2001	<b>Examiner</b> Andre D. Boyce	<b>Group Art Unit</b> 3623
<b>Invention:</b> A SYSTEM AND METHOD FOR BUSINESS ANALYSIS AND PLANNING			
<p>I hereby certify that this <u>AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. § 1.116</u> (Identify type of correspondence) is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u> on <u>August 15, 2006</u> (Date)</p> <p style="text-align: right;"><u>Steven Fischman, Esq.</u> (Typed or Printed Name of Person Signing Certificate)  (Signature)</p> <p style="text-align: center;"><b>Note: Each paper must have its own certificate of mailing.</b></p>			

P18/REV02

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AUG 15 2006

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>FIS920010165US1 (14775)</b>	
Applicant(s): <b>Kevin J. Reardon</b>						
Application No. <b>09/933,602</b>	Filing Date <b>August 21, 2001</b>	Examiner <b>Andre D. Boyce</b>	Customer No. <b>23389</b>	Group Art Unit <b>3623</b>	Confirmation No. <b>6766</b>	
Invention: <b>A SYSTEM AND METHOD FOR BUSINESS ANALYSIS AND PLANNING</b>						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application.						
The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	13 -	13 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. <b>09-0458</b> in the amount of <b>\$0.00</b> <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 _____ Signature			Dated: <b>August 15, 2006</b>			
<b>Steven Fischman, Esq.</b> <b>Registration No.: 34, 594</b> <b>SCULLY, SCOTT, MURPHY &amp; PRESSER, P.C.</b> <b>400 Garden City Plaza - Suite 300</b> <b>Garden City, New York 11530</b> <b>(516) 742- 4343</b>			<div style="border: 1px solid black; padding: 5px;">         I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____          (Date)       </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">         _____          Signature of Person Mailing Correspondence       </div> <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">         _____          Typed or Printed Name of Person Mailing Correspondence       </div>			
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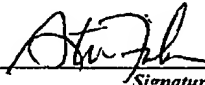
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<b>CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)</b> Applicant(s): <b>Kevin J. Reardon</b>			Docket No. <b>FIS920010165US1 (14775)</b>	
Application No. <b>09/933,602</b>	Filing Date <b>August 21, 2001</b>	Examiner <b>Andre D. Boyce</b>	Group Art Unit <b>3623</b>	
Invention: <b>A SYSTEM AND METHOD FOR BUSINESS ANALYSIS AND PLANNING</b>				
<p>I hereby certify that this <u>AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. § 1.116</u>  <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(571) 273-8300</u>)</p> <p>on <u>August 15, 2006</u>  <i>(Date)</i></p> <div style="text-align: right; margin-top: 100px;"> <u>Steven Fischman, Esq.</u>  <i>(Typed or Printed Name of Person Signing Certificate)</i>    <i>(Signature)</i> </div> <p style="text-align: center; margin-top: 100px;"> <b>Note: Each paper must have its own certificate of mailing.</b> </p>				

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AUG 15 2006

<b>AMENDMENT TRANSMITTAL LETTER (Large Entity)</b>					Docket No. <b>FIS920010165US1 (14775)</b>	
Applicant(s): <b>Kevin J. Reardon</b>						
Application No. <b>09/933,602</b>	Filing Date <b>August 21, 2001</b>	Examiner <b>Andre D. Boyce</b>	Customer No. <b>23389</b>	Group Art Unit <b>3623</b>	Confirmation No. <b>6766</b>	
Invention: <b>A SYSTEM AND METHOD FOR BUSINESS ANALYSIS AND PLANNING</b>						
<u>COMMISSIONER FOR PATENTS:</u>						
Transmitted herewith is an amendment in the above-identified application. The fee has been calculated and is transmitted as shown below.						
<b>CLAIMS AS AMENDED</b>						
	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST # PREV. PAID FOR	NUMBER EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE	
TOTAL CLAIMS	13 -	13 =	0	x \$50.00	\$0.00	
INDEP. CLAIMS	4 -	4 =	0	x \$200.00	\$0.00	
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00	
<b>TOTAL ADDITIONAL FEE FOR THIS AMENDMENT</b>					<b>\$0.00</b>	
<input checked="" type="checkbox"/> No additional fee is required for amendment. <input checked="" type="checkbox"/> Please charge Deposit Account No. <b>09-0458</b> in the amount of <b>\$0.00</b> <input type="checkbox"/> A check in the amount of _____ to cover the filing fee is enclosed. <input checked="" type="checkbox"/> The Director is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account <input checked="" type="checkbox"/> Any additional filing fees required under 37 C.F.R. 1.16. <input checked="" type="checkbox"/> Any patent application processing fees under 37 CFR 1.17. <input type="checkbox"/> Payment by credit card. Form PTO-2038. <b>WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</b>						
 _____ <i>Signature</i>			Dated: <b>August 15, 2006</b>			
<b>Steven Fischman, Esq.</b> <b>Registration No.: 34, 594</b> <b>SCULLY, SCOTT, MURPHY &amp; PRESSER, P.C.</b> <b>400 Garden City Plaza - Suite 300</b> <b>Garden City, New York 11530</b> <b>(516) 742- 4343</b>			<div style="border: 1px solid black; padding: 5px;">             I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____              _____              (Date)           </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">             _____              Signature of Person Mailing Correspondence           </div> <div style="border: 1px solid black; padding: 5px; margin-top: 5px;">             _____              Typed or Printed Name of Person Mailing Correspondence           </div>			
SF:EP:me CC:						

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Response Under 37 C.F.R. § 1.116  
Expedited Procedure  
Examining Group 3623**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Kevin J. Reardon

Examiner: Andre D. Boyce

Serial No.: 09/933,602

Art Unit: 3623

Filed: August 21, 2001

Docket: FIS920010165US1 (14775)

For: A SYSTEM AND METHOD FOR BUSINESS  
ANALYSIS AND PLANNING

Dated: August 15, 2006

Confirmation No.: 6766

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313**AMENDMENT AND RESPONSE PURSUANT TO 37 C.F.R. § 1.116**

Sir:

This reply is filed to respond to the Final Office Action dated June 16, 2006. Please reconsider the claims in the application in view of the remarks set forth below.

Amendments to the claims are reflected in the listing of claims, which begins on page 2.


Remarks begin on page 8 of this paper.

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**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office at (571) 273-8300 on the date shown below.

Dated: August 15, 2006

  
Steven Fischman, Esq.**BEST AVAILABLE COPY**